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LETTER DATED 25 JANUARY 1993 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour, upon the instructions of my Government and following my letter dated 22 January 1993 (S/25145), to inform you that the limited action of the Croatian Police forces and Croatian Army units on the territory of the Republic of Croatia - within the so-called "pink zones" - aimed at securing the perimeter of the Maslenica-bridge rebuilding site, has been terminated upon completion of its goals.

The Government of Croatia deeply deplores the tragic loss of life of two members of the French battalion of UNPROFOR who were caught in the cross-fire during the said conflict, and hopes that an independent investigation will be conducted to shed light on the events that have led to their deaths. We wish to inform the members of the Security Council that the Croatian Army units have given full procection to the UNPROFOR units in the perimeter of intervention, and had assisted in transferring the French battalion from this area.

The Croatian Government is gravely concerned by the seizure of heavy weapons - that were under UNPROFOR protection and within its custody - by the Serbian paramilitary units illegally operating in the UNPAs and "pink zones" on the territory of the Republic of Croatia. We believe that this action of Serbian insurgents is undermining one of the basic pillars of the Vance Plan. The Government of Croatia for months now has been reiterating its call that the provisions of the Security Council resolution 779 (1992) and that the "withdrawing and the disarming of all forces, including paramilitary forces" (S/RES/779, op. para. 4) in the UNPAs be carried out.

Since UNPROFOR forces have not been able to implement this request of the Security Council, this has resulted in non-implementation of the most important element of the United Nations Peace-plan: the voluntary return of refugees and displaced persons. Ultimately, this has resulted in ever-expanding numbers of displaced persons in Croatia (after the total eviction of the Croatian population from these regions); in constant instability of the UNPAs and immediately adjacent regions ("pink zones").

Limited success of the mandate of UNPROFOR and failure to proceed with the implementation of the United Nations Peace-plan as a whole, is constantly sending a wrong message to the insurgent authorities of the so-called "Krajina" in Knin and elsewhere, and to all of the Serbian nationalists and extremist paramilitary forces. They have expanded their occupation of the territory of the Republic of Croatia, and have constantly been fortifying their positions.

The action of Croatian authorities has been carried out within the "pink zone". We have to remind that the legal and political status of those "entities" is considerably different than those of the UNPAs. In the original provisions of the United Nations Peace-plan, that is to be found in the Security Council resolution 743 (1992), the "pink zones" are never mentioned, and did not exist as a concern or even consideration of the Council. However, in resolution 762 (1992) these vaguely defined "entities" have been added to the Peace-plan, as a temporary and provisional measure. These parts of the Croatian territory were to be returned to the authority of the Government of Croatia as soon as UNPROFOR assumes responsibility within UNPA Sectors South and North and the Croatian Government issues the Amnesty Act (S/RES/762, op. para. 5; S/24188, para. 16) - both of those provisions have long ago been met. Yet, UNPROFOR, due to the obstruction by the Serbian side, has not been able to act accordingly.

My Government highly appreciates all the confidence-building measures and actions undertaken by UNPROFOR and other United Nations officials, especially towards the opening of the communication routes on the territory of the Republic of Croatia. Unfortunately, all of these efforts have proven fruitless, as experienced in the UNPA Sector West. As provided in the provisions of Security Council resolution 769, UNPROFOR has been given a mandate to establish control of the international borders of the Republic of Croatia towards Serbia and towards Bosnia and Herzegovina. That has not been implemented.

Finally, I have to reiterate the view of my Government, that the legitimate authorities of one country cannot be regarded as aggressors on their own territory. The action that had been undertaken by police and military units of Croatia in accordance with the relevant provisions of the Security Council resolutions, and did not pose a threat to the civilian population living in the "pink zone" or UNPA Sector South at any time. The action was limited in its range, and has stopped after achieving its legitimate goal, which was clearly within the framework of establishing the necessary and essential living conditions for the population of Croatia as a whole.

The Republic of Croatia deplores in the strongest possible manner the assertions stated in the letter dated 24 January 1993 by Dr. Radoje Kontic, "Vice-President of the Federal Government" of the Federal Republic of Yugoslavia (Serbia and Montenegro) about "ruthless Croatian aggression ... against the Republic of Serbian Krajina". We would like to remind that the territory in question is within the legitimate and internationally recognized

international Croatian borders, thus being an indivisible part of the Republic of Croatia. The letter manifestly demonstrates that the authorities in Belgrade lay claim to the territory of another sovereign and internationally recognized Member State of the United Nations. Therefore, if the term "aggression" is to be used, it can only apply to the militant and expansionist policy of the Belgrade authorities. We deem it necessary to reiterate that the Croatian people and their Government reserve the right to protect and defend the entire territory of the Republic of Croatia from any foreign military aggression, and are ready to use all necessary means to fulfil this task.

The immediate return of the heavy weaponry that is now in the hands of Serbian paramilitary units - thus once again posing serious threats to the stability in the region and to the civilian population of the city of Zadar and surrounding areas - to the custody of UNPROFOR, is of utmost importance. It will be one of the primary criteria of the Croatian Government when re-examining the mandate of the United Nations peace-keeping operation upon its completion in late February 1993.

I would kindly ask for your assistance in distributing this letter as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative